

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

CELLULAR COMMUNICATIONS  
EQUIPMENT LLC,

Plaintiff,

V.

RESEARCH IN MOTION LIMITED, *et al.*,

Defendants.

Case No. 6:13-cv-510-LED

## JURY TRIAL DEMANDED

**STIPULATION OF DISMISSAL WITHOUT PREJUDICE AS TO DEFENDANT**  
**SPRINT NEXTEL CORPORATION (N/K/A SPRINT COMMUNICATIONS, INC.)**

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii) and their letter agreement of December 9, 2013, Plaintiff Cellular Communications Equipment LLC (“CCE”) and Defendant Sprint Nextel Corporation (now known as Sprint Communications, Inc.) (“Sprint Communications”) stipulate to the dismissal of, and hereby move for an order dismissing, all claims asserted in this action by CCE against Sprint Communications, WITHOUT PREJUDICE, with each party to bear its own costs, expenses and attorneys’ fees. CCE and Sprint Communications request that the Court enter the attached order, accordingly.

CCE has not released, and nothing in this Stipulation should be construed as a release or discharge of, any claim that CCE has, or may have in the future, against any other party named in this action. All such rights have been, and are, expressly reserved.

**Dated: December 19, 2013**

Respectfully submitted,

<p><u>/s/ Edward R. Nelson, III</u>  Edward R. Nelson, III  enelson@nbclaw.net  Texas State Bar No. 00797142  Brent N. Bumgardner  bbumgarnder@nbclaw.net  Texas State Bar No. 00795272  Barry J. Bumgardner  barry@nbclaw.net  Texas State Bar No. 00793424  S. Brannon Latimer  blatimer@nbclaw.net  Texas State Bar No. 24060137  Thomas C. Cecil  tcecil@nbclaw.net  Texas State Bar No. 24069489  NELSON BUMGARDNER CASTO, P.C.  3131 West 7th Street, Suite 300  Fort Worth, Texas 76107  Phone: (817) 377-9111  Fax: (817) 377-3485</p> <p>T. John Ward, Jr.  Texas State Bar No. 00794818  J. Wesley Hill  Texas State Bar No. 24032294  Claire Abernathy Henry  Texas State Bar No. 24053063  WARD &amp; SMITH LAW FIRM  P.O. Box 1231  1127 Judson Rd. Ste. 220  Longview, Texas 75606-1231  (903) 757-6400  (903) 757-2323 (fax)  jw@jwfir.com  wh@wsfir.com  ch@wsfir.com</p> <p><b>ATTORNEYS FOR PLAINTIFF  CELLULAR COMMUNICATIONS  EQUIPMENT LLC</b></p>	<p><u>/s/Robert W. Weber</u>  Robert W. Weber  Texas State Bar No. 21044800  SMITH WEBER, L.L.P.  5505 Plaza Drive  P.O. Box 6167  Texarkana, TX 75505-6167  Tele: (903) 223-5656  Fax: (903) 223-5652  Email: bweber@smithweber.com</p> <p>and</p> <p>Mark W. McGrory (<i>pro hac vice</i>)  ROUSE HENDRICKS GERMAN MAY PC  1201 Walnut, 20<sup>th</sup> Floor  Kansas City, MO 64106  Tel: (816) 471-7700  Fax: (816) 471-2221  Email: MarkM@rhgm.com</p> <p><b>ATTORNEYS FOR DEFENDANTS  SPRINT NEXTEL CORPORATION,  SPRINT SOLUTIONS, INC.  SPRINT SPECTRUM L.P., AND  BOOST MOBILE, LLC</b></p>
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**CERTIFICATE OF CONFERENCE**

Pursuant to Local Rule CV-7(h), I certify that the parties have met and conferred and that this stipulated dismissal without prejudice agreed between them.

/s/ Edward R. Nelson, III  
Edward R. Nelson, III

**CERTIFICATE OF SERVICE**

I hereby certify that on the 19th day of December, 2013, I electronically filed the foregoing document with the clerk of the Court for the U.S. District Court, Eastern District of Texas, Tyler Division, using the Court's electronic case filing system. The electronic case filing system sent a "Notice of Electronic Filing" to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Edward R. Nelson, III  
Edward R. Nelson, III